Appeal No. 17-7035

(Consolidated with Appeal No. 17-7039)

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

American Society for Testing and Materials; National Fire Protection Association, Inc.; American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc.,

Appellees,

v.

Public.Resource.Org, Inc.,

Appellant.

Appeal from the United States District Court for the District of Columbia, Hon. Tanya S. Chutkan, Case No. 1:13-cv-01215-TSC-DAR

UNOPPOSED MOTION TO SET BRIEFING SCHEDULE

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June 6, 2017

Defendant-Appellant Public.Resource.Org, Inc. ("Public Resource") moves pursuant to Federal Rule of Appellate Procedure 27 and Circuit Rule 27 for an order establishing a briefing schedule. Recognizing the importance of the issues raised by this appeal, Public Resource requests a schedule that will accommodate all parties and amici, while pursuing a prompt resolution, with a particular concern for the needs of public interest group amici who wish to weigh in on this important litigation but depend on pro bono representation by law school clinics, most of which are not staffed during the summer. Public Resource has conferred with all Plaintiff-Appellees in this consolidated appeal, all parties have agreed on this schedule, and this motion is unopposed. Accordingly, Public Resource respectfully requests that the Court establish the following schedule for this appeal, or any similar schedule that the Court finds just and reasonable:

- Defendant-Appellant's principal brief to be due August 28, 2017;
- Amicus briefs in support of Defendant-Appellant or of neither party to be due September 25, 2017;
- Plaintiff-Appellees' briefs to be due October 25, 2017;
- Amicus briefs in support of Plaintiff-Appellees to be due November 22, 2017;
- Defendant-Appellant's reply brief to be due December 15, 2017.

The parties have also conferred and agreed to utilize a deferred appendix.

Dated: June 5, 2017

FENWICK & WEST LLP

By: */s/ Andrew P. Bridges*
Andrew P. Bridges

Attorneys for Appellant
Public.Resource.Org, Inc.

CERTIFICATE OF SERVICE

I, Andrew P. Bridges, hereby certify that on June 6, 2017, I electronically filed the foregoing Unopposed Motion to Set Briefing Schedule with the United States Court of Appeals for the District of Columbia Circuit through the Court's CM/ECF system, which will serve all Counsel who are registered CM/ECF users.

Dated: June 6, 2017

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